IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

MACA.No. 1422 of 2007()

OPMV.236/2002 of MOTOR ACCIDENT CLAIMS TRIBUNAL, IRINJALAKUDA
.....

APPELLANT/PETITIONER

LIJU, S/O KATTILETH RAJAN,
KODAKARA VILLAGE, THESSERY DESOM,
KANAKAMALA, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS: RESPONDENTS 1 TO 3
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1. APPOLLO TYRES LIMITED,
CHERUPUSHPAM BUILDINGS,
VITH FLOOR, SHANMUGHAM ROAD,
ERNAKULAM, KOCHI.

2. P.R.PETER, S/O RAPHEL,
PAZHAMPULIL HOUSE, NETTOOR P.O.

3. NATIONAL INSURANCE CO. LTD.,
P.B.NO.70, MALIEKKAL BUILDING, MAIN ROAD,
IRINJALAKUDA.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 05/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

M.A.C.A.No. 1422 of 2007

Dated this the 5th October, 2007.

J U D G M E N T

Petitioner in O.P.(M.V.) No.236/2002, on the file of the Motor Accidents Claims Tribunal, Irinjalakuda, has filed this appeal challenging the quantum of compensation awarded to him. Appellant sustained fracture on clavicle left hand, abrasion of left side of abdomen, lacerated wound on upper lip, abrasion on left side index finger and lacerated wound on left slin. The doctor who treated the appellant issued a disability certificate stating that he is having 10% disability. The Tribunal treated it as a whole body disability of 5%, stating that 10% disability was with reference to a particular organ alone. The total compensation awarded was Rs.28,500/=, which according to me is reasonable. I do not find any reason to interfere with the quantum of compensation awarded. The appeal is only to be dismissed.

In the result, the appeal is dismissed.

K.PADMANABHAN NAIR,
JUDGE

nj.